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November 18, 2004

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NOV 18 2004

Federal Communications Commission
Office of Secretary

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

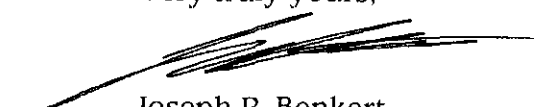
Re: Amendment of §73.202(b)
(Hutchinson and Haven, KS)
MB Docket No. 04-376
RM-11039

Dear Ms. Dortch:

Transmitted herewith, on behalf of Ad Astra per Aspera Broadcasting, Inc., are an original and four copies of its "Supplement To Comments Of Ad Astra per Aspera Broadcasting, Inc." in the above referenced proceeding

Any questions and copies of all correspondence regarding this filing should be directed to undersigned counsel.

Very truly yours,



Joseph P. Benkert

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**Before the
Federal Communications Commission
Washington, DC 20554**

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In the Matter of

)

Federal Communications Commission
Office of Secretary

)

Amendment of Section 73.202(b)

)

FM Table of Allotments

)

MB Docket No. 04-376

FM Broadcast Stations

)

RM-11039

(Hutchinson and Haven, KS)

)

ORIGINAL

**SUPPLEMENT TO COMMENTS OF AD ASTRA PER
ASPERA BROADCASTING, INC.**

Ad Astra per Aspera Broadcasting, Inc. ("Petitioner"), by its attorneys and pursuant to Section 1.415 of the Commission's Rules, hereby respectfully supplements its Comments in support of the Notice of Proposed Rulemaking, DA 04-3056 (released September 27, 2004) ("NPRM"), in the above-captioned rulemaking proceeding to amend the Table of FM Allotments, 47 C.F.R. 73.202(b), to add Channel 246C2 at Haven, Kansas as that communities first local aural transmission service, and delete Channel 246C2 at Hutchinson, KS. In support whereof, the following is respectfully shown:

1. Petitioner filed its comments on November 16, 2004, incorporating by reference the showing in its Petition for Rulemaking, and reiterating it's intent to file an application to effectuate its proposal and commence FM radio service to the community of Haven, Kansas at the earliest possible date, upon amendment of the FM Table of Allotments.

2. Petitioner hereby supplements it's Comments filed November 16, 2004 to provide the gain and loss area data inadvertently omitted from its November 16, 2004 filing. That showing is attached, and Exhibits 3-A and 4 demonstrates that grant of the

rulemaking proposal will result in KSKU-FM serving an additional 504,960 people in an additional 4,986 square kilometers, vis-à-vis the currently licensed KSKU-FM facilities. Service to only 7,150 people in 1,210 square kilometers will be lost. All gain and loss areas are served by at least 5 FM Stations.

3. There is also an outstanding construction permit for KSKU-FM, BPH-20000424ABH, and Figures 3-B and 4 show the population and area gain and loss analysis and other audio services analysis for the facilities authorized in the permit and the rulemaking proposal. Those exhibits demonstrate that grant of the rulemaking proposal will result in KSKU-FM serving an additional 337,196 people in an additional 3,796 square kilometers, vis-à-vis the KSKU-FM facilities authorized by the outstanding permit. Service to only 17,751 people in 3,727 square kilometers will be lost. All gain and loss areas are served by at least five other FM stations, except that there are two small loss areas that will be well-served by 4 stations and one small loss area that will be well-served by 3 stations.

4. Grant of the rulemaking proposal and reallocation of Channel 246C2 to Haven will thus result in a first local aural service to the city of Haven, and provide service to an additional 504,960 people vis-à-vis the current KSKU facilities. There are several small areas which currently receive three and four FM services which would receive an additional FM service under the extant KSKU-FM construction permit, but which are not presently receiving service from KSKU-FM. As noted, these areas already receive three FM services. The FM allotment priorities give co-equal weight to priority (2) second full-time aural service, and (3) first local service; thus providing Haven, Kansas with its first local service receives a higher priority than potentially providing the

three small areas depicted in Figure 4 with a third, fourth and fourth aural service. See *Revision of FM Assignment Policies and Procedures*, 90 FCC2d 88 (1982)

5. In view of the foregoing, Petitioner respectfully submits that the proposed change of the allotment of FM Channel 246C2 from Hutchinson, Kansas to Haven, Kansas will be in the public interest.

Respectfully submitted,

AD ASTRA PER ASPERA BROADCASTING, INC.

By: 

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Its Attorneys

Dated: November 18, 2004

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ENGINEERING EXHIBIT EE-RM:

**RULE MAKING TO AMEND
FM TABLE OF ALLOTMENTS**

**DELETE CH. 246C2 AT HUTCHINSON, KS
ALLOT CH. 246C2 TO HAVEN, KS
REPLY COMMENTS - MB DOCKET 04-376**

NOVEMBER 17, 2004

**REPLY COMMENTS
ENGINEERING STATEMENT PREPARED ON BEHALF OF
AD ASTRA PER ASPERA BROADCASTING, INC..
LICENSEE OF KSKU (FM)
CHANNEL 246C2 - HUTCHINSON, KANSAS**

Facility ID: 59995



ENGINEERING EXHIBIT EE-RM:

**RULE MAKING TO AMEND
FM TABLE OF ALLOTMENTS**

**DELETE CH. 246C2 AT HUTCHINSON, KS
ALLOT CH. 246C2 TO HAVEN, KS
REPLY COMMENTS - MB DOCKET 04-376**

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1. Declaration of Engineer
2. Narrative Statement
3. Figure 1, Channel Allocation Study for Ch. 246C2.
From Special Ref. Point for Haven, KS
4. Figure 2, General Area Map.
5. Figure 3-A, Coverage Comparison - RM vs: Lic.
6. Figure 3-B, Coverage Comparison - RM vs: CP.
7. Figure 4, Other Existing FM Services.

Figures 1 & 2 were submitted in original filing.

Figures 3-4 are submitted herein.

Declaration

I, John J. Mullaney, declare and state that I am a graduate electrical engineer with a B.E.E. and my qualifications are known to the Federal Communications Commission, and that I am an principal engineer in the firm of Mullaney Engineering, Inc., and that I have provided engineering services in the area of telecommunications since 1977. My qualifications as an expert in radio engineering are a matter of record with the Federal Communications Commission.

The firm of Mullaney Engineering, Inc., has been requested by Ad Astra Per Aspera Broadcasting, Inc., to prepare the instant engineering exhibit in support of a reply comments in a rule making petition to amend the FM Table of Allotments (FCC Facility ID Number: 59995, Docket 04-376).

All facts contained herein are true of my own knowledge except where stated to be on information or belief, and as to those facts, I believe them to be true. I declare under penalty of perjury that the foregoing is true and correct.

/s/ John J. Mullaney

John J. Mullaney, Consulting Engineer

Executed on the 17th day of November 2004

ENGINEERING EXHIBIT EE-RM:

**RULE MAKING TO AMEND
FM TABLE OF ALLOTMENTS**

**DELETE CH. 246C2 AT HUTCHINSON, KS
ALLOT CH. 246C2 TO HAVEN, KS
REPLY COMMENTS - MB DOCKET 04-376**

NARRATIVE STATEMENT:

This engineering statement has been prepared on behalf of Ad Astra Per Aspera Broadcasting, Inc., licensee of Radio Station KSKU, at Hutchinson, Kansas (Facility ID 59995). The purpose of this statement is to provide engineering in support of reply comments to a rule making petition to amend the FM Table of Allotments to delete Ch. 246C3/C2 at Hutchinson, KS and re-allot Ch. 246C2 to Haven, KS, and to modify the license of KSKU accordingly - MM Docket 04-376.

Gain & Loss Evaluation

Figures 3-A & 3-B of this engineering provides Gain & Loss populations and areas when compared to both the existing license and existing “un-built” CP. Similarly, Figure 4 shows the of other FM services which also provide a 60 dBu contour to the existing & proposed areas of KSKU. With the exception of two very small areas, all of the joint service area is served by more than 5 services (AMs were not needed to reach this quantity).

The two areas with less than 5 services are all within the “un-built” CP 60 dBu service area:

3 Services - 3 persons & 4 square kilometers

4 Services - 586 persons & 81 square kilometers

It should be emphasized that “un-built” CPs do not technically provide any service until they are built and thus, should not be included in loss calculations.

KSKU believes that the proposed change in community and upgrade to Class C2 facilities **will serve the public interest**. If granted, KSKU will quickly file an application for construction permit.

/s/ John J. Mullaney

John J. Mullaney, Consulting Engineer

November 17, 2004.

FIGURE 3-A - RM vs: LIC COVERAGE COMPARISON

MB Doc 04-376 - Hutchinson/Haven, KS

Population / Area Analysis

	Persons	sq.km
RM Haven	595,600	8,568
KSKU-LIC	97,790	4,793
RM-GAIN	504,960	4,985
RM-LOSS	7,150	1,210

2000 Census



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Loss

Gain

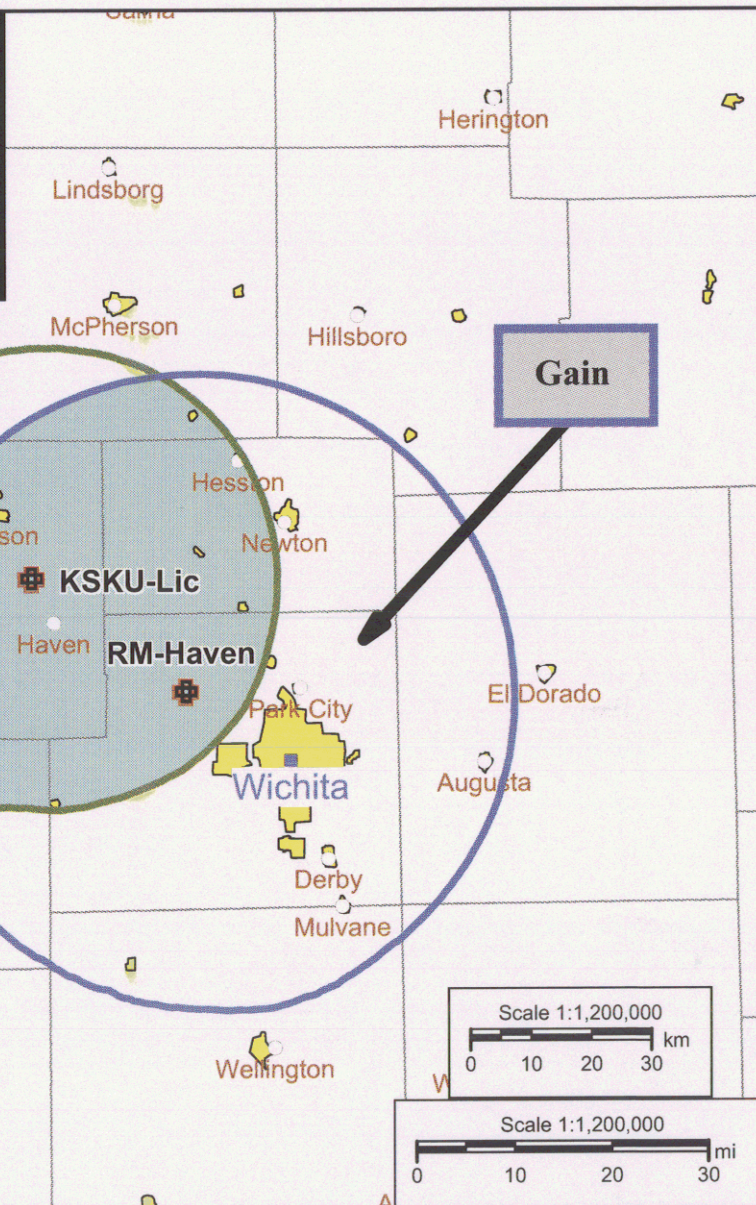


FIGURE 3-B - RM vs: CP COVERAGE COMPARISON

MB Doc 04-376 - Hutchinson/Haven, KS

Population / Area Analysis			
	Persons	sq.km	
RM Haven	595,600	8,568	
KSKU-CP	276,155	8,499	
RM-GAIN	337,196	3,796	
RM-LOSS	17,751	3,727	
2000 Census			

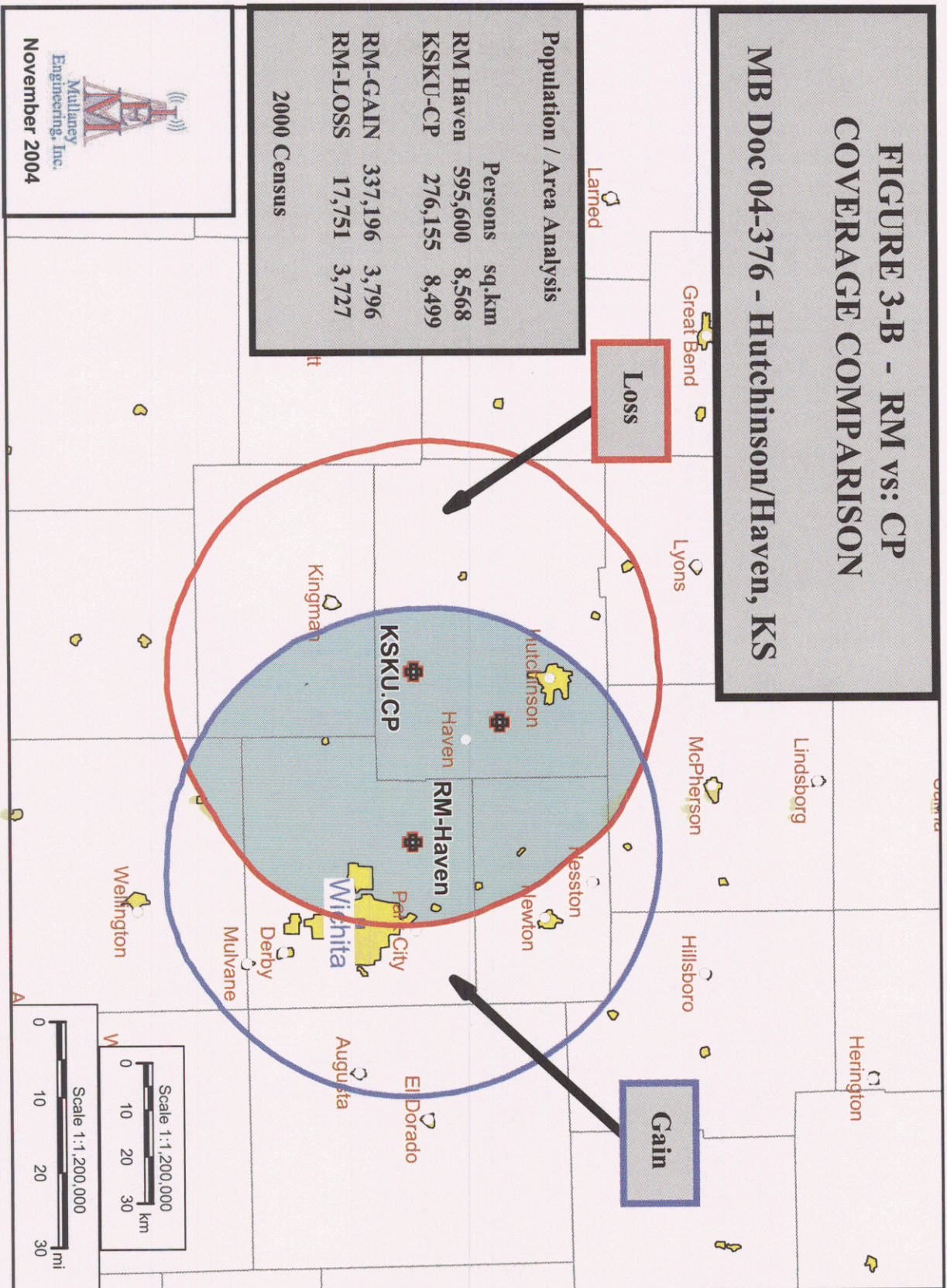


FIGURE 4 - OTHER EXISTING FM SERVICES

MB Doc 04-376 - Hutchinson/Haven, KS

At Least 5 FM Services
Unless Indicated

- KSKU LIC
- KSKU CP
- RM HAVEN
- FM Commercial
- FM Non-Commercial

3

4



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KREJ
KSNS.C
KSNS

KGGG

KBBE

KXKU

KBCU

KHUT

KHCCFM

KCFN

KMXW

KSKU

KTLL

KHMY

RM-Haven

KFBZ

KFXJ

KCVW

KSKU.C

KTHR

KFBZ

KEY

KZCH

KBTL

KZSN

KFDIFM

KIC

KMUWB

KYFW

KDGS

KTCM

KYWA

KFH-FM

KANR

KWME

Scale 1:1,200,000
0 10 20 30 km

Scale 1:1,200,000
0 10 20 30 mi